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Restraint and Seclusion of Students With a Disability Continue to Be Common in Some School Districts Patterns Remain Relatively Consistent Despite Recent Policy Changes

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Patterns Remain Relatively Consistent Despite Recent Policy Changes

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In 2013, Carsey released a brief that analyzed rates of restraint and seclusion using a large, nationally representative data set of U.S. school districts.[1] This brief serves as a follow-up to the previous brief, and its findings are particularly germane for two reasons. First, whereas all previous surveys of restraint and seclusion practices from the Civil Rights Data Collection (CRDC) surveys provided only representative samples, the most current survey was issued to all districts in the United States. Therefore, we were able to analyze a more comprehensive data set approximately twice the size of the one used in the 2013 brief. Second, approximately one-half of U.S. states updated their policies on restraint and seclusion between the 2009–2010 and 2011–2012 CRDC surveys,[2] as lawmakers and civil rights advocates are increasingly questioning the use of restraint and seclusion in schools. Therefore, it is plausible that the frequency of restraint and seclusion in schools could have changed considerably during this time.

Because students with a disability are restrained and secluded at considerably higher rates than are students without a disability, this brief only reports on students with a disability.[3] Primarily due to highly skewed distributions of district restraint and seclusion rates, we do not report means (averages) here. Box 1, on page 2, includes definitions of restraint and seclusion.

KEY FINDINGS

Despite numerous states with revised policies related to seclusion and restraint in schools between 2009 and 2012, trends in the rates of restraint and seclusion of students with a disability in the United States remained relatively consistent from 2009–2010 and 2011–2012.

Low-poverty, low-minority districts are more likely to report high rates of restraint than are high-poverty, high-minority districts, although this trend in the most recent data is less pronounced than the trend found in the 2009–2010 data.

Restraint and seclusion are most common in cities and least common in rural places.

Most States Report No Cases of Restraining or Secluding Students With a Disability

The majority of districts do not report the use of restraint or seclusion: 69.2 percent report no cases of restraint, and 87.1 percent of districts report no cases of seclusion.[4] Further, these two procedures trend together. For example, more than three in four districts that report using seclusion also report using restraint, whereas only approximately one in seven districts that report no seclusion report any cases of restraint. Of those districts that do practice restraint or seclusion, most use these
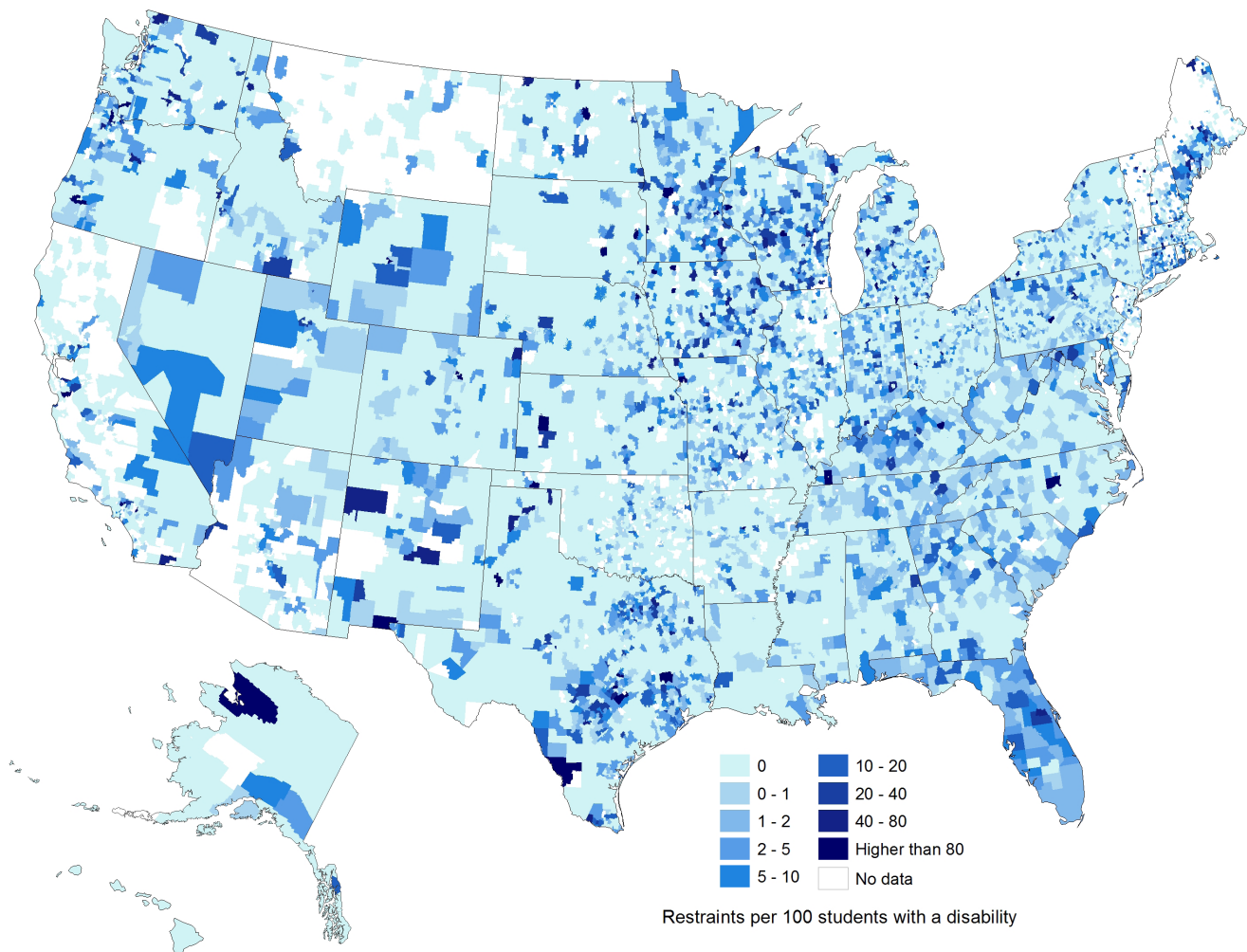
Box 1: Definitions of Restraint and Seclusion

Restraint: A practice that uses physical or mechanical means to restrict a student's freedom of motion. The CRDC does not consider physical escorts and the use of appropriate prescribed devices (such as seat belts and orthotics) to be restraint.

Seclusion: A practice that involves the involuntary isolation of a student (usually for a period of several minutes). The CRDC does not consider "time-outs," whereby—as part of an approved behavioral management plan a student is placed in a nonlocked setting for the purpose of calming—to be seclusion.

practices relatively infrequently. Only 20.4 percent of restraint-reporting districts and 27.4 percent of seclusion-reporting districts exhibit rates greater than 10 restraints/seclusions per 100 students with a disability.[5] A small percentage of districts, however, report exceedingly high rates. For example, 1.3 percent of school districts (or nearly 200 districts throughout the country) report rates higher than one restraint for every two students with a disability.[6]

FIGURE 1: RATES OF RESTRAINT FOR STUDENTS WITH A DISABILITY IN U.S. SCHOOL DISTRICTS

0	10 - 20
0 - 1	20 - 40
1 - 2	40 - 80
2 - 5	Higher than 80
5 - 10	No data

Restraints per 100 students with a disability

Source: 2011–2012 Civil Rights Data Collection

Figure 1 illustrates the considerable variation in district restraint rates throughout the country. This map shows that higher- and lower-restraining districts are found in nearly every state in the country and that the majority of districts do not practice restraint frequently. Analyses not shown here confirm that the majority of variation in district restraint rates occurs within states and not between states.[7]
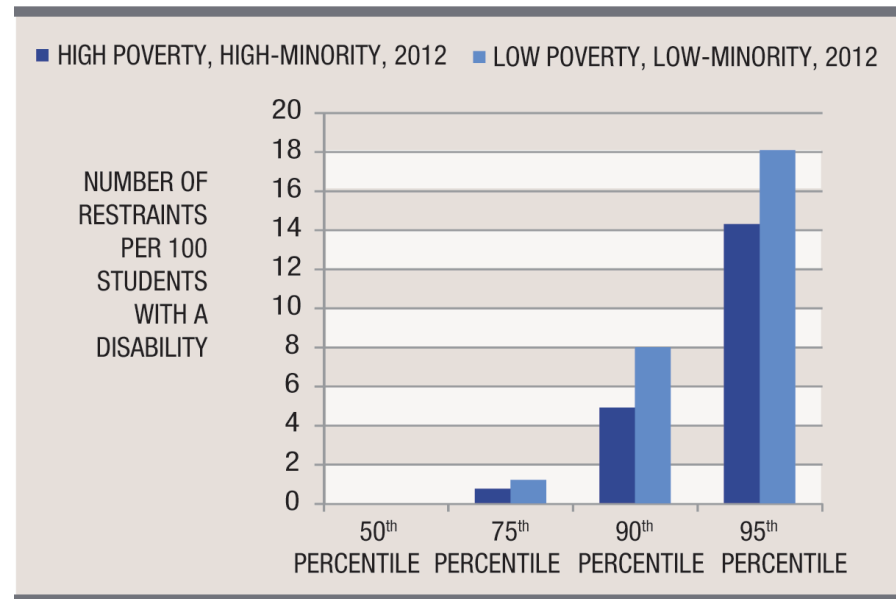
Restraint and Seclusion Slightly More Common in More Affluent Districts

We also examine how rates of restraint and seclusion differ by school district characteristics by comparing districts in the highest quartile of poverty rates and black and/or Hispanic composition with those in the lowest quartile of these two groupings.[8]

Generally speaking, restraint is slightly more common in low-poverty, low-minority districts than in high-poverty, high-minority ones.

Figure 2 shows the rates of restraint for students with a disability for districts in the 50th, 75th, 90th, and 95th percentiles for restraint rates in each of the two groups. Generally speaking, restraint is slightly more common in low-poverty, low-minority districts than in high-poverty, high-minority ones.

FIGURE 2: RESTRAINT RATES FOR DISTRICTS BY HIGH AND LOW POVERTY AND MINORITY COMPOSITION AMONG STUDENTS WITH A DISABILITY, 2012

Source: 2011–2012 Civil Rights Data Collection and the 2012 Small Area Income and Poverty Estimates (SAIPE)

More low-poverty, low-minority districts report at least one case of restraint, and rates of restraint are slightly higher across the entire distribution.[9] Trends in seclusion (not shown here) were slightly more pronounced, as low-poverty, low-minority districts at the 90th and 95th percentiles had rates more than twice those in corresponding high-poverty, high-minority districts.

Restraint and Seclusion Most Common in Cities, with High Variation Across the United States

Table 1 shows the reported restraint rate for a district at the 90th percentile within city, suburb, town, and rural categories of urbanicity.[10] These statistics indicate

TABLE 1: RESTRAINT AND SECLUSION RATES ACROSS URBANICITY* AMONG STUDENTS WITH A DISABILITY

URBANICITY	RESTRAINTS PER 100 STUDENTS WITH A DISABILITY	SECLUSIONS PER 100 STUDENTS WITH A DISABILITY
CITY	12.1	2.9
SUBURB	7.5	1.4
TOWN	6.0	2.2
RURAL	3.7	0.0

Source: 2011–2012 Civil Rights Data Collection and the 2010 U.S. Census
Note: *For districts at the 90th percentile.

a clear trend in which restraint is increasingly more common in more urban settings. Restraint is nearly twice as common in cities as it is in suburbs and towns, and it is three times more common in cities than it is in rural school districts.[11] Patterns in seclusion are not as pronounced as those for restraint, but it appears seclusion is most common in cities and least common in rural areas.

Discussion

A small proportion of school districts continue to report very high rates of restraint and seclusion with students with a disability, despite significant state-level policy changes between survey years. The overall distributions of restraint and seclusion rates also remain similar, with most districts reporting no or few restraints and seclusions and only a small percentage of districts having very high rates. The newer data exhibit a slightly greater dispersion, with a larger proportion of districts falling into both extremes of the distribution. Although restraint and seclusion rates across states continue to range considerably,[12] between-state variation is overshadowed by the tremendous within-state variation. Taken together, these findings suggest that local policy decisions and other factors related to school culture, rather than state policy, seem to be the greatest determinants of restraint and seclusion rates.

Two trends, however, appear to differ slightly between the years. First, the relationship is less clear today among a school's poverty rate, its racial composition, and its reported rates of restraint and seclusion. Data from 2009–2010 suggest that low-poverty, low-minority districts used these practices more regularly, but these more recent data suggest a less pronounced relationship regarding school characteristics. Conversely, a clearer trend is evident across urbanicity levels using these data, as cities reported considerably higher rates than did rural school districts. Future research should examine the factors that lead to the use of restraint and seclusion in some schools, as well as what conditions lead to uptake of alternative approaches to managing challenging student behavior.

Data

The data in this brief are from three sources: the 2011–2012 Civil Rights Data Collection (CRDC), the 2012 Small Area Income and Poverty Estimates (SAIPE), and the 2010 U.S. Census. The CRDC is a mandatory data collection that provides school-level information on the instances of discipline for students with and without a disability, as well as student racial composition for the 2011–2012 school year. Schools reported racial composition according to the following population groups: American Indian/Alaskan Native, Asian, black, Hispanic, two or more races, Native Hawaiian or other Pacific Islander, and white. SAIPE provides information on the number of students in a district living in poverty. The U.S. Census provides information on urbanicity. We aggregated CRDC data to the district level and then merged them with SAIPE and census data using the National Center for Education Statistics district identification code. Any district not found in all three data sets was dropped from the final data set, resulting in a final sample of 12,866 school districts.[13]

Endnotes

1. See D. J. Gagnon, M. J. Mattingly, and V. J. Connelly, "Variation Found in Rates of Restraint and Seclusion Among Students With a Disability" (Durham, NH: The Carsey Institute, 2013), available at http://scholars.unh.edu/cgi/viewcontent.cgi?article=1205&context=carsey.

2. See J. Freeman and G. Sugai, "Recent Changes in State Policies and Legislation Regarding Restraint or Seclusion," *Exceptional Children*, vol. 79, no. 4 (2013): 427–438.

3. The U.S. Department of Education's Office of Civil Rights examined student-level restraint and seclusion data, finding that a student with a disability is approximately twenty to thirty times more likely than a student without a disability to be restrained or secluded. See U.S. Department of Education, Office of Civil Rights, "Civil Rights Data Collection: Data Snapshot: School Discipline," (Washington, DC: USDOE, March 2014). For simplicity, at times in this brief we present only restraint rates. As previously mentioned, the practices of restraint and seclusion tend to trend together.

4. It is unclear if some of these districts practiced restraint and/or seclusion but reported no cases because of having incomplete data.

5. Rates are reported here in restraints/seclusions per 100 students with a disability. However, some inconsistencies in the reporting of this data may exist. It seems likely that some districts report the total instances of restraint/seclusion whereas others presumably report the number of students who were restrained. In the latter case, a student who is restrained more than once is counted only once. Unfortunately, it is impossible to determine how many districts reported in each of these ways.

6. Slightly less than 1 percent of districts report rates of seclusion this high.

7. Although much more variation occurs within states than does between states, differences do exist across states. For example, in roughly half of states, the 90th percentile district in restraint reports a rate less than 5.0 incidents per 100 students with a disability. This contrasts to the top 8 states, where the 90th percentile district reports more than 10.0 restraints per 100 students with a disability.

8. This classification resembles the one in the 2013 brief. Of the 12,557 districts reviewed, 1,411 ranked both in the highest quartile of poverty and the highest quartile of combined black and Hispanic populations. In contrast, 1,192 districts ranked both in the lowest quartile of poverty (most affluent) and lowest quartile of combined black and Hispanic students. This is a district-level analysis, and it does not address the frequency of restraint or seclusion for students in poverty or students of color. According to CRDC's 2014 report, black students with a disability—but not Hispanic students with a disability—are much more likely than students of other races to experience restraint.

9. High-poverty, high-minority districts have higher rates than low-poverty, low-minority districts at the uppermost portion of the distribution.

10. The U.S. Census reports district urbanicity using a 12-point classification scheme. This includes four major types: city, suburb, town, and rural. Each of these types has three subcategories: population gradations of large, mid-size, and small for city and suburb; distance from urbanized area gradations of fringe, distant, and remote for towns and rural areas. For the sake of clarity, only the four major types of urbanicity are analyzed here.

11. However, considerable range exists within the large, mid-size, and small gradations for the broader categories of city and suburb. For example, restraint appears more common in mid-size cities than in large or small cities.

12. The rank ordering of state restraint rates remained relatively consistent among years.

13. The state of Wyoming failed to report data on racial composition for this collection and, therefore, was excluded for the analysis pertaining to only school minority.

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